



State Representative

Samantha J. Kerkman

Assembly Bill 52

State Representative Samantha Kerkman

Assembly Committee on Public Health

March 14, 2007

Chairman Hines and members of the Assembly Committee on Public Health, thank you for taking the time to hear testimony on Assembly Bill 52.

Assembly Bill 52 provides critical support to law enforcement officers. Every year in the United States police dogs give their lives in the service of mankind. Many police officers and citizens alike are alive today because of the actions of well trained police dogs. This legislative session I am introducing legislation to help protect the people of the state of Wisconsin and the integrity of the police service dog.

The main reason that I am introducing this legislation this session is because a constituent of mine, Eric Klinkhammer, from the Kenosha County Sheriffs Department alerted me last year of this problem. Eric was going to be here today to testify but he now has been subpoenaed to court relating to his job. Eric is the dog handler in Kenosha county and feels that this legislation is essential to the police officer and service dog.

Currently in Wisconsin, every dog that bites must be quarantined for ten days and receive a series of three veterinary check-ups during those ten days. This law is in place to check for the rabies virus and to prevent its spread. This law is very important to prevent the spread of rabies, but it lacks one exception; the exception for law enforcement dogs. Police service dogs are important to the people of Wisconsin, and there must be an exception to this rule to best protect our state.

Police Dogs have many jobs. They guard their handler, and find, chase, intimidate, and hold suspects who are attempting to elude the police. They also serve on search and rescue missions. Police dogs are not vicious animals; most are trained to enjoy their work. 0

With Assembly Bill 52, if the police dog is up to date on vaccinations and medical examinations, the dog would be exempt from the quarantine rule, but would still have to receive the series of three medical check-ups. With this legislation, the dogs, which are an expensive and valuable asset to the people of Wisconsin, can continue to do their jobs: To protect the people of Wisconsin.

Assembly Bill 52 is not unprecedented as many other states have laws in place to give an exception to the rabies quarantine rule for police enforcement dogs. For example, our southern neighboring state, Illinois, has a statute that lets police dogs that have recently bitten continue to perform their duties if they have been vaccinated. Our state should have an exception as well.

I thank you again for your time.

Support Across the State

The following list contains associations and departments who have contacted Rep. Kerkman's office with their continued support of the legislation this session.

Wisconsin Deputy Sheriffs Association
Wisconsin Professional Police Association
Kenosha County Sheriffs Department
Dane County Sheriffs Department

Wisconsin Department of Agriculture, Trade and Consumer Protection – State Humane Officer
Wisconsin Veterinary Medical Association
Wisconsin County Police Association



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBa0074/2
RCT:jld:jf

**ASSEMBLY AMENDMENT ,
TO 2007 ASSEMBLY BILL 52**

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 11: delete the material beginning with "If" and ending with
3 "veterinarian." on line 13 and substitute "The law enforcement agency shall have the
4 dog examined by a veterinarian as soon as possible, on the 10th day after the
5 incident, and on one intervening day. The law enforcement agency shall ensure that
6 the dog is confined when not performing law enforcement functions until the 3rd
7 examination has been performed."

8 (END)

From: Eric Klinkhammer [REDACTED]
Sent: Tuesday, November 28, 2006 9:35 AM
To: Johannes, Sarah
Subject: RE: Police Service Dogs
arah,

The Texas Rabies Control Statute is Chapter 826 and the wording of the police exemption from the quarantine is:

826.048. EXEMPTION FROM QUARANTINE REQUIREMENT FOR
POLICE SERVICE ANIMALS. (a) In this section, "handler or rider"
and "police service animal" have the meanings assigned by Section
8.151, Penal Code.

(b) A police service animal is exempt from the quarantine
requirement of this subchapter if the animal bites[0] a person while
the animal is under routine veterinary care or while the animal is
being used for law enforcement, corrections, prison or jail
security, or investigative purposes. If after biting the person
the animal exhibits any abnormal behavior, the law enforcement
agency and the animal's handler or rider shall make the animal
available within a reasonable time for testing by the local health
authority.

The statute's link is below:

[http://tlo2.tlc.state.tx.us/cgi-bin/cqcgi?](http://tlo2.tlc.state.tx.us/cgi-bin/cqcgi?Q_SESSION_KEY=WNZTDCMPQIFW&CQ_QUERY_HANDLE=124215&CQ_CUR_DOCUMENT=2&CQ_TLO_DOC_TEXT=YES)
[Q_SESSION_KEY=WNZTDCMPQIFW&CQ_QUERY_HANDLE=124215&CQ_CUR_DOCUMENT=2&CQ_TLO_DOC_TEXT=YES](http://tlo2.tlc.state.tx.us/cgi-bin/cqcgi?Q_SESSION_KEY=WNZTDCMPQIFW&CQ_QUERY_HANDLE=124215&CQ_CUR_DOCUMENT=2&CQ_TLO_DOC_TEXT=YES)

The Illinois Rabies Control Statute is 510ILCS Animal Control Act and the police exemption is:

b) When a person has been bitten by a police dog that is currently vaccinated against rabies, the
police dog may continue to perform its duties for the peace officer or law enforcement agency and
the period of observation of the police dog may be under the supervision of a peace officer. The
supervision shall consist of the dog being locked in a kennel, performing its official duties in a
police vehicle, or remaining under the constant supervision of its police handler.

Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

The statute's link is below:

[http://www.ilga.gov/legislation/ilcs/ilcs3.asp?](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?actID=1704&ChapAct=510%20ILCS%205&ChapterID=41&ChapterName=ANIMALS&ActName=Animal+Control+Act%2E)
[actID=1704&ChapAct=510 ILCS 5/&ChapterID=41&ChapterName=ANIMALS&ActName=Animal+Control+Act%2E](http://www.ilga.gov/legislation/ilcs/ilcs3.asp?actID=1704&ChapAct=510%20ILCS%205&ChapterID=41&ChapterName=ANIMALS&ActName=Animal+Control+Act%2E)

If there is anything else I can do please let me know. I can be reached at 262-818-9144.

Eric Klinkhammer

